



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 16 2008

REPLY TO THE ATTENTION OF:

(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Douglas J. Weber, Attorney
FirstEnergy Corporation
76 South Main Street
Akron, Ohio 44308

Dear Mr. Weber:

Enclosed is a file stamped Administrative Order regarding FirstEnergy Corporation, located in Akron, Ohio.

Please direct any questions regarding this Order to Padmavati Bending at (312) 353-8917.

Sincerely yours,

A handwritten signature in black ink, appearing to read "William MacDowell".

William MacDowell, Chief
Air Enforcement and Compliance Assurance Section (MN/OH)

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
FirstEnergy Corporation)	ADMINISTRATIVE ORDER
Akron, Ohio)	
)	EPA-5-08-113(a) OH-03
Proceeding Under)	
Section 113(a)(3) of)	
the Clean Air Act,)	
42 U.S.C. § 7413(a)(3))	

Administrative Order

1. The Director of the Air and Radiation Division, United States Environmental Protection Agency, Region 5, is issuing this Order to FirstEnergy Corporation (FirstEnergy) under Section 113(a)(3) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(3).

Statutory Authority

2. The Administrator of EPA may require any person who owns or operates an emission source to provide information required by the Administrator under Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

3. Under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), the Administrator of EPA may issue an order requiring compliance to any person who has violated or is violating any requirement of an information request issued under Section 114 of the Act (Section 114 Request). The Administrator has delegated this authority to the Director of the Air and Radiation Division.

Findings

4. FirstEnergy and/or its subsidiaries own or operate the following coal-fired electric utilities which are located in Ohio: Ashtabula, Eastlake, Lake Shore, and Bay Shore generating stations.

5. FirstEnergy owns or operates an "emission source" within the meaning of Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1).

6. On November 10, 1999, the Director of the Air and Radiation Division, EPA, Region 5, issued a Section 114 Request to FirstEnergy. Exhibit 1 of this Order is a copy of the Section 114 Request.

7. The Section 114 Request required FirstEnergy to send a response to item numbers 1, 2, 3, and 12 through 24, in Attachment A within 30 calendar days, and the remainder of the information requested within 60 days after FirstEnergy received the Section 114 Request.
8. FirstEnergy received the Section 114 Request on November 15, 1999.
9. As a result, FirstEnergy's response to item numbers 1, 2, 3, and 12 through 24 was due on December 15, 1999, and to the remainder of the Section 114 Request was due on January 15, 2000.
10. In letter dated February 25, 2000, FirstEnergy provided a response to item numbers 2 and 3 to EPA.
11. FirstEnergy has failed to respond to item numbers 1, and 4 through 24 of the Section 114 Request.
12. FirstEnergy violated the Section 114 Request by failing to send a complete response to the Section 114 Request within the timeframe provided by the request.
13. Based on the date required for a full response of the Section 114 Request, January 15, 2000, FirstEnergy has been in violation of the Section 114 Request for 3,019 days as of April 21, 2008, with violations continuing each day until FirstEnergy complies with the Section 114 Request.

Compliance Program

14. FirstEnergy must comply with all requirements of the Section 114 Request with respect to the Ashtabula, Eastlake, Lake Shore, and Bay Shore generating stations.
15. Specifically, FirstEnergy must send a response to all items in the Section 114 Request with respect to the Ashtabula, Eastlake, Lake Shore, and Bay Shore generating stations, within 30 days of receipt of this Order.
16. In addition, FirstEnergy must notify EPA if it will comply with this Order within 7 days of receipt of this Order.
17. FirstEnergy must send all reports required by this Order to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

General Provisions

18. This Order does not affect FirstEnergy's responsibility to comply with other local, state, and federal laws and regulations.
19. This Order does not restrict EPA's authority to enforce Section 114 of the Act, or any other section of the Act.
20. Nothing in this Order limits EPA's authority to seek appropriate relief, including continuing penalties under Section 113 of the Act, 42 U.S.C. § 7413, for FirstEnergy's violations of the Section 114 Request.
21. Failure to comply with this Order may subject FirstEnergy to continuing penalties of up to \$32,500 per day for each violation under Section 113 of the Act, 42 U.S.C. § 7413, and 69 Fed. Reg. 7121 (Feb. 13, 2004)(amending 40 C.F.R. Part 19).
22. The terms of this Order are binding on FirstEnergy, its assignees and successors. FirstEnergy must give notice of this Order to any successors in interest, prior to transferring ownership, and must simultaneously verify to EPA, at the above address, that FirstEnergy has given the notice.
23. This Order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide your response to this Order without staples. Paper clips, binder clips, and 3-ring binders are acceptable.
24. EPA may use any information submitted under this Order in an administrative, civil, or criminal action.
25. Section 113(a)(4) of the Act, 42 U.S.C. § 7413(a)(4), states that an Order shall not take effect until the person to whom it is issued has had an opportunity to confer with EPA about the alleged violation. Therefore, EPA is giving FirstEnergy an opportunity to confer with EPA concerning this Order. FirstEnergy may schedule a conference with EPA by calling Julie Morris at (312) 886-0863 or Ethan Chatfield at (312) 886-5112 within 14 days of FirstEnergy's receipt of this Order.

26. This Order is effective June 15, 2008.

5/16/08
Date

for Mary P. Tyson
Cheryl Newton, Acting Director
Air and Radiation Division

Enclosures

Protecting the environment is everyone's responsibility. Help EPA fight pollution by reporting possible harmful environmental activity.
To do so, visit EPA's website at <http://www.epa.gov/compliance/complaints/index.html>

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

FirstEnergy
76 South Main Street
Akron, Ohio 44308

Attention: Douglas J. Weber, Attorney
FirstEnergy

Request to Provide Information Pursuant to the Clean Air Act

The United States Environmental Protection Agency (U.S. EPA) is requiring FirstEnergy, Ohio Edison, Cleveland Electric Illuminating Company and the Toledo Edison Company to submit certain information regarding the Niles, Burger, Ashtabula, Avon Lake, East Lake, Lake Shore, Bay Shore and ACME generating stations in Ohio. Attachment A specifies the information that you must submit regarding the above referenced generating stations. You must send a response to items number 1, 2, 3, and 12 through 24 in Attachment A within 30 calendar days after you receive this request. The remainder of the information requested shall be submitted within 60 days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of U.S. EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

FirstEnergy, and/or Ohio Edison, Cleveland Electric Illuminating Company and the Toledo Edison Company own and operate the Niles, Burger, Ashtabula, Avon Lake, East Lake, Lake Shore, Bay Shore and ACME generating stations in Ohio. We are requesting this information to determine whether your emission sources are complying with the Ohio State Implementation Plan, Federal New Source Performance Standards, and other Clean Air Act requirements.

You must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

You may consider sending copies of all requested information to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43138

You may assert a claim of business confidentiality for any portion of the submitted information, except emission data, under 40 C.F.R. Part 2, Subpart B. Information subject to a business confidentiality claim is available to the public only to the extent allowed under 40 C.F.R. Part 2, Subpart B. Failure to assert a business confidentiality claim makes all submitted information available to the public without further notice.

FirstEnergy Corporation, Ohio Edison, Cleveland Electric Illuminating Company and the Toledo Edison Company must submit all requested information under an authorized signature certifying that the information is true and complete to the best knowledge of the certifying official after due inquiry. Knowingly providing false information, in response to this request, may be actionable under Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

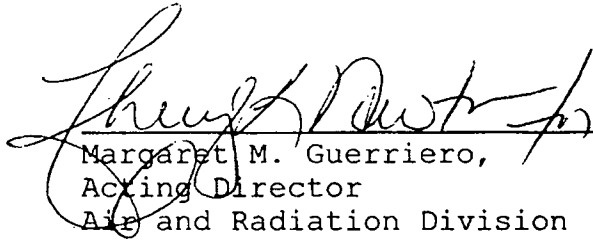
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject FirstEnergy Corporation, Ohio Edison, Cleveland Electric Illuminating Company and the Toledo Edison Company to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Spiros Bourgikos at (312) 886-6862 or Thor W. Ketzback at (312) 353-6720.

11/10/99
Date


Margaret M. Guerriero,
Acting Director
Air and Radiation Division

Attachment A

FirstEnergy

Ohio Edison (Niles and Burger generating Stations)
Cleveland Electric Illuminating Company (Ashtabula, Avon Lake,
East Lake and Lake Shore Generating Stations)

Toledo Edison (Bay Shore and ACME Generating Stations)

EPA INFORMATION REQUEST

For each coal fired boiler currently in operation at each of the above referenced generating stations provide the information listed below:

1. Work order records (capital improvement requests) for capital projects identified in paragraphs 11 through 21 below, including but not limited to:
 - a. Work order approvals with authorizing signatures
 - b. Work order project completion reports
 - c. Equipment specifications
 - d. Project justifications
 - e. Cost/benefit analyses
 - f. Alternative options analyses
2. Boiler cross-sectional diagrams for each unit
 - a. Original
 - b. Current
3. Boiler design ratings for each unit (original/current)
 - a. Steam flow rate
 - i. Peak
 - ii. Sustained
 - b. Maximum heat input capacity (based on what coal heat content)
 - c. Gross MW capacity
 - d. Net MW capacity
4. For the period 1978 through 1998, provide for each unit for each year
 - a. Capacity factor
 - b. Operating hours
 - c. Coal consumption (ton/year)
 - d. Total gross and net generation (MW-hr)
 - e. Heat rate (BTU/KW-hr)
 - f. Annual forced outage rate (principal causes) (MW-hr lost generation)
 - g. Annual planned outage rate
 - h. Derating/lost generation (MW-hr) due to:
 - i. Boiler related components

- ii. Turbine generator components
 - iii. Environmental control performance
 - iv. Other
 - i. Scheduled/planned retirement dates
 - j. Coal analysis (% sulfur, % ash, heat content)
 - k. Capability test results (MW)
 - l. Monthly peak hourly average generation (MW)
 - m. Summary results of all stack tests
 - i. PM
 - ii. SO₂
 - iii. NOx
 - iv. Air Toxics (Pb/Hg/HCl/Other)
 - n. Annual emissions (lb/mmBTU and tons/year)
 - i. PM
 - ii. SO₂
 - iii. NOx
 - iv. Air Toxics (Pb/Hg/HCl/Other)
 - o. Scheduled retirement dates
5. Dates of all PSD/NSR permit applications submitted with description of modification. Dates of all PSD/NSR permits issued.
 6. Copies of all correspondence, memoranda, telephone discussion summaries, etc. regarding PSD/NSR/NSPS applicability determinations for any modification between 1978 and present.
 7. Life extension/life optimization studies, evaluations, assessments and reports, including any reports/correspondence, etc. related to extending the life of any boiler or boiler component.
 8. Initial installed cost of each boiler island
 9. Total capital expenditures on each boiler over the life of the boiler.
 10. Organizational charts (plant) showing all managers, directors, team leaders and technical staff for the following years: current/1995/1990/1985/1980. Include the following in the organizational chart:
 - a. Names
 - b. Phone #s
 - c. Department
 - d. Branches
 - e. Divisions
 - f. Sections

11. The names and employment titles of each individual who is employed at the plant or in the FirstEnergy General Office who is involved in or makes environmental compliance decisions at each of the plants referenced above. Also, please provide a brief description of that individual's duties and responsibilities for environmental compliance at the plant.
12. Flue gas recirculation (FGR) changes/dates for each unit
13. Dates of low-NOx burner (LNB) retrofits for each unit
14. Balanced draft conversion dates for each unit
15. Dates of scrubber retrofits for each unit
16. Dates of ESP or baghouse retrofits for each unit
17. Pulverizer, burner or cyclone replacement dates for each unit
18. Economizer, reheater, superheater and air heater replacement dates for each unit
19. Condenser and feed water heater replacement dates for each unit
20. I.D. and F.D. fans or fan motor replacement dates for each unit
21. Turbine rotor/turbine shell replacement dates for each unit
22. Boiler casing, floor and wall tube replacement dates for each unit
23. Dates of scheduled maintenance outages for each unit for the period 1978 to the present.
24. GADs (generating availability data system) reports (1978-present) listing for each unit all:
 1. Forced outages
 2. Scheduled outages
 3. Causes
 4. Duration of outages

25. The "five year plan" and all other documents that set forth the capital changes FirstEnergy, Ohio Edison, Cleveland Electric Illuminating Company and the Toledo Edison Company will be making in the next five years to the above referenced generating stations.
26. A list of all capital projects of greater than \$100,000 from January 1, 1978 to the present, identifying the project description, authorized expenditure, date of approval and work order number.

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

FirstEnergy
Douglas J. Weber, Attorney
76 South Main Street
Akron, Ohio 44308

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First Class Mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43138

on the 12 day of November 1999.

Shanee Rucker
Shanee Rucker, Secretary
AECAS (MI/WI)

Certified Mail Receipt Number: 2199 026 450

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent the Administrative Order, EPA Order No. EPA-5-08-113(a) OH-03, by Certified Mail, Return Receipt Requested, to:

Douglas J. Weber, Attorney
FirstEnergy Corporation
76 South Main Street
Akron, Ohio 44308

I also certify that I sent a copy of the Administrative Order, EPA Order No. EPA-5-08-113(a) OH-03, by First Class Mail to:

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049


Dennis Bush, APC Manager
Northeast District Office
Ohio Environmental Protection Agency
2110 E Aurora Road
Twinsburg, Ohio 44087

Karen Granata, Administrator
City of Toledo Division of Environmental
Services
348 South Erie Street
Toledo, Ohio 43602

Richard Nemeth, Commissioner
Cleveland Dept. of Public Health
Division of Air Quality
1925 St. Clair Avenue
Cleveland, Ohio 44114

Lynn Malcom, Administrator
Akron Regional Air Quality Management
District
146 South High Street, Rm 904
Akron, Ohio 44308

on the 16 day of May 2008.


Loretta Shaffer, Secretary
AECAS(MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8919 1624